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DEPARTMENT FOR SA, SA/INS, S/CT; NSC FOR E. MILLARD

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TAGS: [PGOV](#) [PTER](#) [EALD](#) [KPAO](#) [CE](#) [NO](#) [TH](#) [LTTE](#)

SUBJECT: Second session of talks between the Sri Lankan government and the LTTE makes significant progress

Refs: (A) Colombo/Ops Center 11-03-02 telecon

- (B) Colombo 2055, and previous

(U) Classified by Ambassador E. Ashley Wills.

Reasons 1.5 (b,d).

1. (C) SUMMARY: The second session of GSL-LTTE talks made significant progress, with the two sides agreeing to form sub-committees focusing on humanitarian, de-escalation, and political issues. The two sides also agreed to a meeting schedule stretching into March 2003. In another constructive development, the chief LTTE negotiator announced that the group wants to enter Sri Lanka's "political mainstream." Observers have welcomed the outcome of the talks. Based on the positive vibrations, both sides seem to be buying into the peace process now more than ever. Mission's proposed press statement is contained in Para 10. END SUMMARY.

Talks Make Solid Progress

2. (C) The second session of talks between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) made significant progress in moving the peace process forward. (Note: The session took place in Thailand from October 31 - November 3.) In a November 4 phone call from Tokyo, Milinda Moragoda, a key member of the government's delegation, told the Ambassador that "the dynamics and chemistry at the talks were excellent." Moragoda said the talks went so well that it was "sort of scary." (Note: The Ambassador meets Norwegian Ambassador Jon Westborg, who was a member of the Norwegian facilitation team in Thailand, tonight to review the talks.)

3. (SBU) Itemizing what was achieved, the Norwegian government issued a statement at the close of the talks. The statement, text contained in Para 11, included the following highlights:

-- The statement said the two sides had "demonstrated a positive, pragmatic, and conciliatory approach" at the talks and added that the two sides continued to move deliberately toward achievement of "a lasting political settlement."

-- The two sides confirmed "their strong commitment to the (February 2002) ceasefire agreement and their support for the Sri Lanka Monitoring Mission."

-- Commenting on the tense situation in ethnically-mixed eastern Sri Lanka, the statement said the two sides were committed to accommodating "the needs of all three communities in the east - Tamils, Muslims, and Sinhalese." (Note: The Norwegian government issued another statement with additional information on plans to ease tensions in the east. This statement is contained in Para 12.)

-- The two sides agreed to form the following three sub-committees:

- (i) "Immediate Humanitarian and Rehabilitation Needs in the North and East" Sub-Committee: This sub-committee will work to identify and prioritize assistance-related projects in the north and east. It will also decide on financial allocations and implementing agencies for the projects. The sub-committee will also work with the Norwegian government on preparations for the November 25 meeting of donor governments in Oslo. The chief GSL representative on the sub-committee will be Ambassador Bernard Goonetilleke, head of the government's Peace Secretariat. The GSL side will include Muslim

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representation. The LTTE's chief representative will be S.P. Thamilselvan, the head of the LTTE's political wing. (Note: As far as we understand, this sub-

committee replaces the "Joint Task Force" announced at the first round of talks. Mission had previously heard that V. Balakumaran would be the lead LTTE representative on this joint body, but Thamilchelvam got the nod. The two sides also reportedly discussed the idea of Prime Minister Wickremesinghe and LTTE negotiator Anton Balasingham meeting on the margins of the Oslo conference. This would be the highest-level GSL-LTTE contact in years if it took place. End Note.)

- (ii) "De-escalation and Normalization" Sub-Committee: This sub-committee will focus on "facilitating the resettlement of internally displaced persons" and easing the burden on local communities of the GSL military's "high security zones." The chief government representative on this sub-committee will be Defense Secretary Austin Fernando and the chief LTTE

SIPDIS representative will be V. Karuna, the LTTE military commander in the east. (Note: Again, as far as we understand, this sub-committee replaces the "Joint Committee" focused on "high security zones" announced at the first round of talks.)

- (iii) Sub-Committee on "Political Matters": This sub-committee will examine "complex political matters...including constitutional, legal, political, and administrative issues." G.L. Peiris, a senior minister, will be the chief GSL representative on the sub-committee, while the chief LTTE representative will be Anton Balasingham, the group's spokesman. Muslim leader Rauf Hakeem will also serve on this sub-committee.

-- The two sides agreed to the following schedule of future talks:

- December 2-5 in Oslo
- January 6-9, 2003
- February 7-10, 2003
- March 18-21, 2003

(Note: The December and January timeframes had previously been agreed to at the first session of talks in September. The February and March timeframes are new.)

Positive Tone at Press Conference

14. (SBU) Aside from the constructive results encapsulated in the Norwegian statement reviewed above, the press conference held at the end of the talks on November 3 also set a positive tone. Noteworthy comments included:

-- LTTE senior negotiator Balasingham stated: "It is the ultimate aim of the LTTE to finally enter into the democratic political mainstream. Since we are committed to enter the political mainstream, which is of course a democratic political mainstream, we have to accept and assimilate other political groups and to allow them free exercise in the electoral processes. So, we will allow other political parties and groups to participate in the north and east."

-- Balasingham also stated, "We may or may not go for an interim administration. What is important is a solution that would immediately address humanitarian issues."

-- Norwegian Deputy Foreign Minister Vidar Helgesen stated, "The parties are now looking ahead toward peace and the prospects look good."

-- Sri Lanka Muslim Congress leader Hakeem stated, "The spirit of consensus and compromise...was very much there and that was the most redeeming feature of the discussions." Hakeem went on to note that the peace process was still at a very early stage.

-- G.L. Peiris, head of the government's delegation, stated, "It is a fresh start. (The two sides) have virtually agreed to everything. We have made progress that no one thought possible. We have tangible results."

15. (C) ((Note: Despite the positive noises at the press conference, there were some discordant notes heard on the margins of the talks. In what was no surprise, for example, LTTE participants in the talks categorically rejected a trial court's October 30 decision convicting V. Prabhakaran, the group's leader, in absentia of involvement in a 1996 terrorist attack. Balasingham stated that the government should not "dig up the past." Thamilchelvam warned that the LTTE could

also charge GSL officials with human rights abuses if it wanted. For its part, the government has already announced that the court ruling will have no impact on the peace process -- see Ref B. In addition to complaints about the court ruling, the LTTE has also expressed concern about the GSL's arrest of six LTTE cadre who were on a boat off the eastern coast over the weekend. The government asserts that the boat was carrying arms. End Note.)))

Talks make Big Splash in Sri Lanka

16. (C) The talks engendered a positive reaction in Sri Lanka. The results of the talks were widely publicized on TV, radio, and in the newspapers. Media reaction was very positive, with most editorials praising the talks. Symbolizing the positive coverage, several papers published on their front-page color photos of beaming GSL and LTTE officials planting a tree commemorating the talks outside the Thai conference site. (Note: TamilNet, the pro-LTTE website, also carried these photos.) Jehan Perera, the head of the National Peace Council, a well-known local think-tank, told us he was impressed by how well the two sides worked together. He thought they had formed a real "partnership" focused on "getting on with the business of peace." Rohan Ediresinha, an analyst at the Center for Policy Alternatives, another well-known think-tank, told us that he was "pleasantly surprised by how much progress was made at the talks." He said the two delegations "seem to understand each other" and "seem to want to make the process work, which was not the case during past peace processes."

17. (C) ((Note: President Kumaratunga's office has not yet issued a formal public reaction to the talks. Harim Peiris, one of her press spokesmen, told us that the president's office would announce its stance after it receives an "official" briefing from the government. Mission has also tried to contact Tamil politicians, but they are involved in the celebrations surrounding Diwali, a Hindu festival, which is taking place on November 4.)))

COMMENT

18. (C) Based on the positive vibrations emanating from the talks, both sides seem to be buying into the peace process now more than ever. Anton Balasingham, in particular, seems to want to be perceived as being as accommodating as can be. For the GSL, the results of the talks were very encouraging, especially as its peace initiative was coming under some criticism of late. The LTTE's apparent dedication to the peace track is a big help to the government in quelling concerns in the south. At this point, the two sides seem to have formed a symbiotic relationship with the aim of strengthening the peace process. While our assessment of the situation is not quite as effusive as that of some of the press coverage, we are becoming more confident about the shelf life of the peace process. It would seem difficult for either side to jettison all that has been gained in favor of a return to conflict. Despite Balasingham's reassuring words, however, it is still extremely difficult to read the LTTE's long-term intentions.

19. (C) (Note: Mission will wait to speak to Norwegian Ambassador Westborg before assessing what role the sub-committee on humanitarian issues gives the LTTE in the distribution of assistance to the north and east. Some of the press coverage indicates that the LTTE essentially agreed to allow the GSL authority over this sub-committee. The language setting up the sub-committee is somewhat vague and needs further explanation, however.) END COMMENT.

Suggested Press Statement

10. (U) Mission plans to issue the following press statement on November 5:

BEGIN TEXT:

The U.S. has carefully reviewed the statement issued by the Norwegian government outlining the results of the second session of negotiations held between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) in Thailand from October 31 - November 3. We praise the commitment of both sides to sustain the ceasefire and move forward with the peace process. It

is positive that the two sides have agreed to an expanded schedule of meetings in the coming months. The U.S. also welcomes the decision of both sides to form sub-committees focused on humanitarian, de-escalation, and political issues.

The U.S. looks forward to participating in the November 25 conference in Oslo, which is focused on improving the humanitarian and developmental situation in the north and east. The U.S. is committed to continuing its support of these vital objectives through projects yielding an immediate impact. We note, for example, that the Quick Reaction Demining Force (QRDF) recently completed its highly successful efforts in Jaffna. The U.S. is also working with the Sri Lankan government on establishing a humanitarian mine clearance training program for civilians and military personnel that is scheduled to begin operations in early 2003.

We hope that the negotiating process will lead to a permanent end to the conflict based on the principles of democracy and respect for human rights, while maintaining Sri Lanka's territorial integrity. We are very encouraged by the efforts of the two sides to resolve the conflict, thus far, and remain convinced that conditions are favorable for a desirable outcome now more than ever. We again salute the Norwegian government's able facilitation of the talks and the Thai government for hosting them.

END TEXT.

GoN Statement issued at End of Talks

¶11. (U) The text of the Norwegian government statement issued at the end of the talks follows:

BEGIN TEXT:

November 3, 2002

The Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE) conducted the second session of the Sri Lanka Peace Talks at the Rose Garden in Thailand from 31 October to 3 November 2002.

The parties demonstrated a positive, pragmatic and conciliatory approach in discussing a wide range of issues, including present challenges as well as matters relating to long-term solutions. The parties thereby continued the dual approach of moving step by step towards a lasting political settlement, while remaining fully focused on the ground situation. The parties reconfirmed their strong commitment to the Ceasefire Agreement and their support for the Sri Lanka Monitoring Mission.

Against the backdrop of recent tensions among the ethnic communities in the east, the parties agreed on immediate measures to improve the security situation, inter-ethnic co-operation and respect for human rights in the north and east. Acknowledging that peace belongs to all peoples of Sri Lanka, the parties are committed to accommodate the needs and aspirations of all three communities in the east; Tamils, Muslims, and Sinhalese. The agreed measures are outlined in a separate statement issued by the Royal Norwegian Government on 1 November 2002.

In their determination to move the peace process forward, the parties reiterated that the process will be a long and demanding one. Throughout the process, the parties will continuously monitor the ground situation, thus enabling necessary action to be taken at all stages to ensure further progress.

In the quest for a final settlement, a broad range of issues must be addressed with considerable attention to detail. For this purpose, the parties agreed on establishing, whenever needed, sub-committees to act on specific matters under the auspices of the negotiation teams. The sub-committees will be continually active and report at the sessions of the talks, in order to accelerate progress and give in-depth attention to issues.

Following the agreement at the first session of talks to set up a joint task force, the parties agreed to establish this in the form of a Sub-Committee on Immediate Humanitarian and Rehabilitation Needs in the North and East. The role of the Sub-Committee will be to

- Identify humanitarian and rehabilitation needs
- Prioritize implementation of activities to meet these needs

- Decide on the allocation of the financial resources for such activities
- Determine implementing agencies for each of the activities.

The Sub-Committee will ensure the involvement of all ethnic communities so that their needs and aspirations are considered, and it will give priority to the mobilization of local labor and local institutions in the implementation of activities. The activities initiated by the Sub-Committee will be financed by a fund, which will be set up in accordance with arrangements to be agreed upon with donor governments. The Sub-Committee will consist of four members selected by the LTTE and four by the GOSL. Two members of the respective negotiating teams, Mr. Tamilselvan of the LTTE and Mr. Bernard Goonetilleke of the GOSL, will be leading members of the Sub-Committee. Other GOSL representatives will include Mr. M.D.D. Peiris, Mr. M.I.M. Rafeek, and an additional member of the Muslim community. Other LTTE representatives will include Mr. Jay Maheswaran. The Sub-Committee will be assisted by a secretariat to be located in the Government Agent's

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Office in Killinochchi. Meetings of the Sub-Committee will be held in Killinochchi, Colombo, Batticaloa, and Kalmunai at the discretion of the committee.

As its first task the Sub-Committee will assist the Royal Norwegian Government in preparing for a political-level meeting of key governments to take place in Oslo, Norway on 25 November 2002. As the first ever of its kind, the meeting will demonstrate the unprecedented level of international support to Sri Lanka and to the parties in their present peace efforts. The meeting will aim at mobilizing financial support for immediate humanitarian and rehabilitation action in three priority areas agreed by the parties:

- Resettling and rehabilitating Internally Displaced Persons
- Rehabilitating war-affected women and children
- Providing livelihoods for war-affected people in the North and East.

The international community will further be encouraged to increase investment in Sri Lanka and respond positively to new challenges in the south resulting from the peace process.

In line with the overall objective of facilitating the resettlement of internally displaced persons, the parties acted on the decision made at the first session of peace talks to address matters relating to high security zones and other areas made inaccessible to the public. To this end, a Sub-Committee on De-Escalation and Normalization was set up as a mechanism for a structured dialogue between the parties. While accommodating the security concerns of each party, the Sub-Committee will examine ways and means to ensure resettlement, the return of private property and the resumption of economic activities in these areas. This Sub-Committee will include high-level civilian and military personnel on both sides, including Mr. Austin Fernando of the Ministry of Defense and Mr. Karuna of the LTTE.

As another issue relating to the restoration of normalcy, the status of Tamil prisoners held under the Prevention of Terrorism Act was discussed.

The parties remain committed to building peace on the ground through practical steps to improve security and opportunity in people's daily lives. At the same time, the parties acknowledged that the peace talks must address a series of complex political questions in order to reach a negotiated solution to the ethnic conflict, including constitutional, legal, political and administrative issues. Following discussions, the parties agreed to establish a Sub-Committee to commence work in connection with relevant political matters. The parties agreed that access to expertise on political matters will be important in order for them to enter into negotiations on issues central to the peace process. The parties will jointly and separately address in depth, at the current stage of the peace process, relevant subjects such as other peace processes, political solutions to ethnic conflicts, models and systems of government, issues of post-conflict transition, co-ordination of international assistance, and reconciliation processes. To this end, the parties will interact with relevant experts and practitioners in these fields, as a basis for the formulation of approaches to the critical political issues for consideration in the future sessions of the peace talks.

The Sub-Committee on Political Matters will be chaired by the heads of delegations to the peace talks, Mr. Anton Balasingham and Mr. G.L. Peiris. Other government representatives will include Mr. Rauf Hakeem, leader of the Sri Lanka Muslim Congress. The third session of talks will take place on 2&5 December 2002 in Oslo, Norway. The following sessions will be held on 6&9 January 2003, 7&10 February 2003, and 18&21 March 2003.

END TEXT.

GoN Statement re Situation in East

¶12. (U) The text of the Norwegian government statement focusing on the situation in the east follows:

BEGIN TEXT:

November 1, 2002

The Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE) initiated the second session of the peace talks in Thailand with an evaluation of the implementation of the Ceasefire Agreement over the past eight months. In their determination to consolidate the ceasefire and advance the peace process, the parties agreed to a set of measures to improve the security situation, inter-ethnic cooperation and respect for human rights in the North and Eastern Provinces.

In this context, the parties emphasized in particular their commitment to accommodate the needs and aspirations of all three communities in the east - Tamils, Muslims and Sinhalese. The parties set out specific measures to improve relations between the Muslim and Tamil communities.

The parties agreed to continuously monitor the implementation of each of the agreed measures and to report on progress at future sessions of the peace talks.

In light of the principal challenges in implementing the Ceasefire Agreement at this stage, the parties agreed to reconstitute the SLMM Local Monitoring Committees, established in accordance with paragraph 3.7 of the Ceasefire Agreement. To this end, the parties agreed to replace a number of their appointees to the Committees with senior representatives from both sides.

The parties are pleased to note that the SLMM has established Points of Contact (POCs) in the north and east as sub-offices of the SLMM district offices, in order to improve access to SLMM for local communities. The parties agreed to request the SLMM to consider establishing additional sub-offices, particularly in Batticaloa and Ampara districts.

The parties agreed to establish direct communications between the commanders of the LTTE and the GOSL Special Task Force in the east, in order to improve the security situation. The parties agreed to establish a process of regular consultations between LTTE leaders and Muslim political leaders.

Mr. Hakeem and Mr. Karuna agreed to work together in the east to meet with local communities and address their specific concerns and aspirations, including matters relating to the occupation and cultivation of land. They will work in accordance with the Memorandum of Understanding reached between the leader of the LTTE, Mr. Velupillai Pirapaharan, and the leader of the Sri Lanka Muslim Congress, Mr. Rauf Hakeem, on 13 April ¶2002. The parties further agreed to remove any impediments to the pursuit of traditional economic activities of the Tamil and Muslim communities, such as fishing, farming and trading.

The parties took special note of the need to address fully and cater for the interests and concerns of the Sinhala community in the Eastern Province, in the context of the ongoing peace negotiations.

The parties agreed to establish peace committees at the community level in order to facilitate the resolution of local problems, contribute to inter-ethnic communication and reconciliation, and promote respect for human rights. The committees may include local community leaders, such as religious, political, business and civil society leaders. The committees will include local

LTTE and GOSL leaders.

END TEXT.

[1](#)13. (U) Minimize considered.

WILLS